

CRN Brief Analysis of IHDA Proposed Notice Rules

The Illinois Housing Development Authority (IHDA) is charged with the rulemaking to govern the Notice Provisions for the Illinois Federally Assisted Housing Preservation Act.

Preservation of rental housing is key priority in both the Governor's *Executive Order 2003-18 to Establish Comprehensive Housing Initiative* and the recently released *Building for Success: Illinois Comprehensive Housing Plan*.

As this is currently the main state legislation concerned with preserving the expiring assisted housing stock, IHDA should utilize the full force and latitude of its authority to implement the spirit and intent of the law.

The detailed rules to govern the content, format, delivery, and publication of the Notice Provisions are key components in creating a system whereby expiring properties can have renewed affordability. Our comments below are points that should be added to IHDA's proposed rules.

Content of Notice

1. The name of the assisted housing development and all building addresses included under the contract.
2. The number of occupied units in the development
3. The Notice should describe the Act rather than giving tenants a numbered reference to the legislation.
4. In Section 42 properties, General Partners should be identified.
5. A brief one page description of the Act detailing out the timeline and the rights afforded to tenants by the Act should be attached.
6. Resource phone numbers for tenants to contact for assistance at HUD, and background information linkages at HUD and IHDA.

Format of Notice

Content and language in notice should align with HUD's notice requirements by including all of their required provisions. Additionally, the notice should state that the notice is not an eviction notice, and in fact, that tenants who move before the specified termination date may impair other rights and protections under state and Federal law.

Delivery of Notice

This section should require owners to submit an "affidavit of mailing". Notice should be delivered to local HUD offices.

Publication of Notice

The notice should be published in local newspapers, IHDA's website, and with local housing advocates/tenant rights' groups.